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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,118	03/25/2004	Jayasimha Nuggehalli	49986-0536	8047
29989 7590 12/26/2007 HICKMAN PALERMO TRUONG & BECKER, LLP 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110			EXAMINER MOUTAOUAKIL, MOUNIR	
			ART UNIT 2619	PAPER NUMBER
			MAIL DATE 12/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/810,118

Applicant(s)

NUGGEHALLI ET AL.

Examiner

Mounir Moutaouakil

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on 10-09-2007 has been entered and considered.

Claims 1-11, and 13-14 are pending in this application.

Claim 12 is canceled.

Claims 1-11, and 13-14 remain rejected as discussed below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 8-11, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Miida et al (US 2002/0049839). Hereinafter referred to as Miida.

Regarding claim 1. Miida discloses an apparatus for processing network device status data (Fig.1, 100). The apparatus comprises a storage device comprising configuration data stored thereon, wherein the configuration data indicates both: a data format supported by each of a plurality of recipient devices (paragraph [0139]. Element 100 receives data using PSTN format and transmits data to the intended receivers using either e-mail or webpage depending on the user terminal), and how to convert network device status data that conforms to a first data format into each of the data formats supported by the plurality of recipient devices (100 converts incoming data from PSTN format to be transmitted as e-mail (SMTP) or a webpage (http), which are

different formats); a conversion mechanism configured to process the network device status data that conforms to the a-first data format (the incoming statuses are received through a PSTN network, 1st format) and generate based upon the configuration data and the network device status data, report data that conforms to the data format supported by each of the plurality of recipient devices (status data is then converted and transmitted to the intended recipients using either e-mail or webpage depending on the format supported by the receiver), wherein the report data includes identification data that uniquely identifies an intended recipient device (see Fig.2, element 22. Paragraph 156, where each recipient is contacted or informed based on their unique recipient ID).

Regarding claim 2. Miida discloses an apparatus wherein the network device status data is received by the apparatus directly from a plurality of multi-function peripherals that each performs one or more of printing, copying, faxing and scanning (see figure 1, where the status is received from a copy machine. See page 10, paragraph 250, where the invention disclosed is applicable to printers facsimile machine, and the like).

Regarding claim 3. Miida discloses an apparatus wherein the network device status data specifies one or more of consumable levels, a meter reading or need for a service call (see page 8 paragraphs 186 and 208. the status data can be related to expandable supply such as paper, staples, ink level...).

Regarding claim 4. Miida discloses an apparatus wherein the network device status data is received by the apparatus from a status data server that collects network

device status data from a plurality of network devices (see figure 2, element 110 is interpreted as a status data server).

Regarding claim 5. Miida discloses an apparatus wherein the network device status data received by the apparatus is encrypted and the apparatus is configured to decrypt the network device status data (see page 7, paragraphs 171-173, status data is transmitted from element 400 to 100. the data is transmitted through PSTN, which indicate that the data is transmitted using a code or an encryption method).

Regarding claim 6. Miida discloses an apparatus wherein the conversion mechanism is configured to generate the report data in either XML or CSV format (see page 10, paragraph 244, and figure 2. element 20 executes the CGI program and creates a web page data using any format. XML and CSV are different type of formats to create data on a web pages or intranets).

Regarding claim 8. Miida discloses an apparatus wherein the apparatus is configured to generate both first report data conforms to a first data format supported by a first recipient device from the plurality of recipient devices and second report data conforms to a second data format supported by a second recipient device from the plurality of recipient devices, and provide the first report data to the first recipient device and the second report data to the second recipient device (see figure 1 and first embodiment of the art used. Each copier is associated with a user. Whenever, a report data is generated, element 100 informs the associate recipient with the status of the copier. Therefore it provides the first report data to the first recipient device and the

second report data to the second recipient device. Moreover, the system uses two different formats: email and webpage).

Regarding claim 9. Miida discloses an apparatus wherein the apparatus is configured to provide the report data to the plurality of recipient devices using one or more Internet protocols including SMTP, HTTP, HTTPS and FTP (figure 1, where the recipient is informed an e-mail or a webpage. see paragraph 311, internet protocol includes HTTP).

Regarding claim 10. Miida discloses an apparatus wherein the apparatus is configured to provide the report data to the plurality of recipient devices based upon a schedule (see paragraph 228, where element 100 is configured to provide the report data to the recipient or recipients whenever the copier is intensively used during a predetermined time frame).

Regarding claim 14. Miida discloses an apparatus that further comprises a storage device for storing the recipient device status data (see paragraph 173, where the status data received is collected and stored in the customer data base and classified customer by customer).

Regarding claim 11. Miida discloses an apparatus wherein the apparatus is configured to provide the report data at a first time to a first recipient device from the plurality of recipient devices and to provide the report data at a second time to a second recipient device from the plurality of recipient devices, wherein the first and second times are different (see figure 1, figure 2, and paragraph 156. Each element 500 is related to an office 200, element 100 provide report data to element 500n at a given

time, because 500n is associated with a 200n. Element 100 provides data status to the 500n, from the associated 200n, as soon as data is received from 200n. Therefore, the processor of 100 processes status data of each 200n, one at a time).

Claim Rejections - 35 USC § 103

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnaprasad et al (US 2002/0099687). Hereinafter referred to as Krishnaprasad.

Regarding claim 7. Miida discloses all the limitations of claim 1.

Miida does not disclose that the apparatus wherein the network device status data is XML data that conforms to a first XML schema and the report data is XML data that conforms to a second XML schema. However, Krishnaprasad discloses a method of using different XML schema (paragraph [0061]. Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to implement the XML format for the status data and report data into the report system of Miida for the purpose of having more flexibility and extensibility.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miida in view of McGlade (US 6,411,598).

Regarding claim 13. Miida discloses all the limitations of claim 1.

Miida does not disclose an apparatus wherein the apparatus is configured to provide a notification if a receipt confirmation indicating receipt of the report data is not received from a particular recipient device from the plurality of recipient devices. However, McGlade discloses a method of detecting transmission failure and a method of sending a notification message whenever a specific recipient is capable of receiving the original message (see column 11, lines 42-52). Thus, it would have been obvious, to a person of ordinary skill in the art at the time of the invention to implement the method

of detecting transmission failure and a method of sending a notification message whenever a specific recipient is capable of receiving the original message, as taught by McGlade, into the report system of Miida for the purpose of improving system reliability and customer service.

Response to Arguments

9. Applicant's arguments filed 10-12-2007 have been fully considered but they are not persuasive.

10. Note: it is the examiner's position that according to the broadest reasonable interpretation given to the claims that Miida teaches the limitations in question as claimed by applicant.

11. With respect to applicant's argument regarding the rejection of 1-6, 8-11, and 14 in view of Miida et al. Applicant argues that Miida et al does not teach or suggest converting status data into specific formats supported by recipient devices. Examiner respectfully disagrees; it is clear the network device of Miida et al convert status data into specific formats supported by the user's devices. The network device of Miida collects information from copiers 300 (using 1st format) over PSTN and provides information to terminals 500-500n via internet using e-mails or WebPages.

Applicant argues that there is no indication that the center 100 stores configuration data that indicates both a data format into the data format supported by each terminal. Examiner respectfully disagrees, the network device, as discussed above, collects information from copiers 300 (using 1st format) over PSTN and provides

information to terminals 500-500n via internet using e-mails or WebPages. Therefore, it is configured and programmed within to receive using first format, convert to second format, depending on terminal, and transmit information.

Furthermore, Applicant argues that Miida does not teach "identification data that uniquely identifies an intended recipient device". Examiner respectfully disagrees, Miida discloses storing customer ID's in database 22. Moreover, each ID is associated with a user, which is associated with a terminal. Therefore, an ID indicates a unique recipient device.

Note: the claim language does not specify that each recipient device uses different format from the rest of the devices. Since the claim language is vague, the examiner believes that each recipient device uses multiple formats to receive the intended information.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

When responding to this office action, applicants are advised to clearly point out the patentable novelty which they think the claims present in view of the state of the art disclosed by the references cited or the objections made. Applicants must also show how the amendments avoid such references or objections. See 37C.F.R 1.111(c). In addition, applicants are advised to provide the examiner with the line numbers and pages numbers in the application and/or references cited to assist examiner in locating the appropriate paragraphs.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mounir Moutaouakil whose telephone number is 571-270-1416. The examiner can normally be reached on Monday-Thursday (1pm-4: 30pm) eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MM
Mounir Moutaouakil
Patent Examiner
12-17-2007

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SUPERVISORY PATENT EXAMINER

